

ESTTA Tracking number: **ESTTA425271**

Filing date: **08/15/2011**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Notice of Opposition

Notice is hereby given that the following party opposes registration of the indicated application.

Opposer Information

Name	Facebook, Inc.
Granted to Date of previous extension	08/14/2011
Address	1601 South California Avenue Palo Alto, CA 94304 UNITED STATES

Attorney information	Kathryn D. Duvall COOLEY LLP 777 6TH STREET NW SUITE 1100 WASHINGTON, DC 20001 UNITED STATES kduvall@cooley.com, lmayall@cooley.com, gcharlston@cooley.com, trademarks@cooley.com Phone:650-843-5000
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Applicant Information

Application No	85122420	Publication date	02/15/2011
Opposition Filing Date	08/15/2011	Opposition Period Ends	08/14/2011
Applicant	Gunther Eysenbach 59 Winners Circle Toronto, M4L3Y7 CANADA		

Goods/Services Affected by Opposition


Class 042. First Use: 2007/09/27 First Use In Commerce: 2009/08/01
All goods and services in the class are opposed, namely: Providing an interactive web site that enables users to enter, access, track, monitor and generate health and medical information and reports

Grounds for Opposition


Priority and likelihood of confusion	Trademark Act section 2(d)
Dilution	Trademark Act section 43(c)

Marks Cited by Opposer as Basis for Opposition


U.S. Application No.	85147910	Application Date	10/07/2010
Registration Date	NONE	Foreign Priority Date	NONE

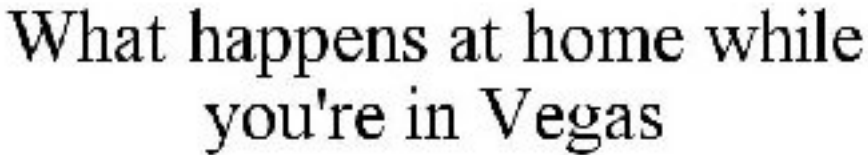
Word Mark	FACEBOOK
Design Mark	
Description of Mark	NONE
Goods/Services	<p>Class 036. First use:</p> <p>Financial transaction processing services, namely, clearing and reconciling financial transactions via computer and communication networks; Electronic processing and transmission of bill payment data for users of computer and communication networks; Electronic funds transfer services; Bill payment services; Financial exchange services, namely, providing a virtual currency for use by members of an online community via computer and communication networks</p>

U.S. Application No.	85147879	Application Date	10/07/2010
Registration Date	NONE	Foreign Priority Date	NONE

Word Mark	FACEBOOK
Design Mark	
Description of Mark	NONE
Goods/Services	<p>Class 009. First use:</p> <p>Computer software development tools; Computer software for use as an application programming interface (API); Application programming interface (API) for computer software which facilitates online services for social networking, building social networking applications and for allowing data retrieval, upload, download, access and management; Computer software to enable uploading, downloading, accessing, posting, displaying, tagging, blogging, streaming, linking, sharing or otherwise providing electronic media or information via computer and communication networks</p>

U.S. Registration No.	3946545	Application Date	10/07/2010
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Registration Date	04/12/2011	Foreign Priority Date	NONE
Word Mark	ALDERETE		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 033. First use: Alcoholic beverages except beer, Tequila		

U.S. Application No.	85147339	Application Date	10/07/2010
Registration Date	NONE	Foreign Priority Date	NONE
Word Mark	WHAT HAPPENS AT HOME WHILE YOU'RE IN VEGAS		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 045. First use: First Use: 2009/07/06 First Use In Commerce: 2009/08/09 Licensing of advertising slogans and cartoon characters		


U.S. Application No.	85147955	Application Date	10/07/2010
Registration Date	NONE	Foreign Priority Date	NONE
Word Mark	FACEBOOK		

Design Mark	
Description of Mark	NONE
Goods/Services	Class 045. First use: Social introduction, networking and dating services; providing social services and information in the field of personal development, namely, self-improvement, self-fulfillment, charitable, philanthropic, volunteer, public and community services, and humanitarian activities; Identification verification services, namely, providing authentication of personal identification information


U.S. Application No.	85147930	Application Date	10/07/2010
Registration Date	NONE	Foreign Priority Date	NONE
Word Mark	FACEBOOK		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 038. First use: Providing access to computer databases in the fields of social networking, social introduction and dating; peer-to-peer photo sharing services, namely, electronic transmission of digital photo files among internet users; Providing access to computer, electronic and online databases; telecommunications services, namely, electronic transmission of data, messages and information; providing online forums for communication on topics of general interest; providing online communications links which transfer web site users to other local and global web pages; providing access to web sites for others hosted on computer servers accessible via a global computer network; providing access to third party web sites by enabling users to log in through a universal username and password via a global computer network and other communication networks; providing online chat rooms and electronic bulletin boards for transmission of messages among users in the field of general interest; audio, text and video broadcasting services over computer or other communication networks, namely, uploading, posting, displaying, tagging, and electronically transmitting data, information, audio and		

	video images; Delivery of digital music by electronic transmission
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U.S. Application No.	85147937	Application Date	10/07/2010
Registration Date	NONE	Foreign Priority Date	NONE
Word Mark	FACEBOOK		
Design Mark			
Description of Mark	NONE		
Goods/Services	<p>Class 041. First use:</p> <p>Providing computer, electronic and online databases in the field of entertainment and in the fields of secondary, collegiate, social and community interest groups; on-line journals, namely, blogs in the fields of entertainment, education, social, political, cultural, economic, scientific and general interest; electronic publishing services, namely, publication of text and graphic works of others via computer and communications networks in the fields of entertainment, education, social, political, cultural, economic, scientific and general interest; publishing of electronic publications; entertainment services, namely, providing temporary use of interactive, multiplayer and single player games for games played via computer or communication networks; providing information about online computer games and video games via computer or communication networks; arranging and conducting competitions for video gamers and computer game players; Contest and incentive award programs designed to recognize, reward and encourage individuals and groups which engage in self-improvement, self-fulfillment, charitable, philanthropic, volunteer, public and community service and humanitarian activities and sharing of creative work product</p>		

U.S. Application No.	85147950	Application Date	10/07/2010
Registration Date	NONE	Foreign Priority Date	NONE
Word Mark	FACEBOOK		
Design Mark			


Description of Mark	NONE
Goods/Services	<p>Class 042. First use:</p> <p>Computer services, namely, creating on-line virtual communities for registered users to organize groups and events, participate in discussions, and engage in social, business and community networking; computer services, namely, hosting electronic facilities for others for organizing and conducting meetings, events and interactive discussions via communication networks; application service provider (ASP) services, namely, hosting computer software applications of others; application service provider (ASP) featuring software to enable or facilitate the uploading, downloading, streaming, posting, displaying, blogging, linking, sharing or otherwise providing electronic media or information over communication networks; providing an online network service that enables users to transfer personal identity data to and share personal identity data with and among multiple websites; providing a web site featuring technology that enables online users to create personal profiles featuring social networking information and to transfer and share such information among multiple websites; computer services, namely, creating indexes of information, sites and other resources available on computer networks; providing temporary use of non-downloadable software applications for social networking, creating a virtual community, and transmission of audio, video, photographic images, text, graphics and data; computer services in the nature of customized web pages featuring user-defined or specified information, personal profiles, audio, video, photographic images, text, graphics and data; peer-to-browser photo sharing services, namely, providing a website featuring technology enabling users to upload, view, and download digital photos; providing a web site featuring technology that enables users to upload and share video, photos, text, graphics and data; creating and maintaining blogs for others; providing a web hosting platform for use of non-downloadable software in connection with interactive, multiplayer and single player games for third parties</p>

U.S. Application No.	85147898	Application Date	10/07/2010
Registration Date	NONE	Foreign Priority Date	NONE
Word Mark	FACEBOOK		
Design Mark			
Description of Mark	NONE		
Goods/Services	<p>Class 035. First use:</p> <p>Compiling of information into computer databases; Marketing, advertising and promotion services; market research and information services; advertising services, namely, promoting the goods and services of others via computer and communication networks; operating on-line marketplaces for sellers of goods and/or services; online retail store services featuring digital media, namely, pre-</p>		

	recorded digital sound, video and data recordings featuring music, text, video, games, comedy, drama, action, adventure or animation; charitable services, namely, promoting public awareness about charitable, philanthropic, volunteer, public and community service and humanitarian activities
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U.S. Application No.	77896318	Application Date	12/17/2009
Registration Date	NONE	Foreign Priority Date	NONE
Word Mark	FACEBOOK		
Design Mark			
Description of Mark	The mark consists of the word "FACEBOOK" in white letters with a blue background.		
Goods/Services	<p>Class 038. First use: Providing access to computer, electronic and online databases; telecommunications services, namely, electronic transmission of data, messages and information; providing online forums for communication on topics of general interest; providing online communications links which transfer web site users to other local and global web pages; providing access to web sites for others hosted on computer servers accessible via a global computer network; providing access to third party web sites by enabling users to log in through a universal username and password via a global computer network and other communication networks; providing online chat rooms and electronic bulletin boards for transmission of messages among users in the field of general interest; audio, text and video broadcasting services over the Internet or other communications networks featuring the uploaded, posted and tagged audio, text and video content of others; audio, text and video broadcasting services over the Internet or other communications networks, namely, electronically transmitting audio clips, text and video clips of others</p> <p>Class 045. First use: Identification verification services, namely, providing authentication of personal identification information</p>		

U.S. Application No.	77896325	Application Date	12/17/2009
Registration Date	NONE	Foreign Priority Date	NONE
Word Mark	FACEBOOK		

Design Mark	
Description of Mark	The mark consists of the word "FACEBOOK" in white letters with a blue background.
Goods/Services	Class 038. First use: Providing access to computer databases in the fields of social networking, social introduction and dating Class 045. First use: Social introduction, networking and dating services; providing social services and information in the field of personal development, namely, self-improvement, self-fulfillment, charitable, philanthropic, volunteer, public and community services, and humanitarian activities

U.S. Application No.	77896323	Application Date	12/17/2009
Registration Date	NONE	Foreign Priority Date	NONE
Word Mark	FACEBOOK		
Design Mark			
Description of Mark	The mark consists of the word "FACEBOOK" in white letters with a blue background.		
Goods/Services	Class 035. First use: Compiling of information into computer databases Class 042. First use: Computer services, namely, creating on-line virtual communities for registered users to organize groups and events, participate in discussions, and engage in social, business and community networking; computer services, namely, hosting electronic facilities for others for organizing and conducting meetings, events and interactive discussions via communication networks; application service provider (ASP) services, namely, hosting computer software applications of others; application service provider (ASP) featuring software to enable or facilitate the uploading, downloading, streaming, posting, displaying, blogging, linking, sharing or otherwise providing electronic media or information over communication networks; providing an online network service that enables users to transfer personal identity data to and share personal identity data with and among multiple websites; providing a web site featuring technology that enables online users to create personal profiles featuring social networking information and to transfer and share such information among multiple websites; computer		

	services, namely, creating indexes of information, sites and other resources available on computer networks; providing temporary use of non-downloadable software applications for social networking, creating a virtual community, and transmission of audio, video, photographic images, text, graphics and data; computer services in the nature of customized web pages featuring user-defined or specified information, personal profiles, audio, video, photographic images, text, graphics and data
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U.S. Application No.	77896322	Application Date	12/17/2009
Registration Date	NONE	Foreign Priority Date	NONE


Word Mark	FACEBOOK
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Design Mark	
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Description of Mark	The mark consists of the word "FACEBOOK" in white letters with a blue background.
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Goods/Services	<p>Class 038. First use: Peer-to-peer photo sharing services, namely, electronic transmission of digital photo files among internet users</p> <p>Class 041. First use: Providing computer, electronic and online databases in the field of entertainment and in the fields of secondary, collegiate, social and community interest groups; on-line journals, namely, blogs in the fields of entertainment, education, social, political, cultural, economic, scientific and general interest; electronic publishing services, namely, publication of text and graphic works of others via computer and communications networks in the fields of entertainment, education, social, political, cultural, economic, scientific and general interest; publishing of electronic publications; entertainment services, namely, providing temporary use of interactive, multiplayer and single player games for games played via computer or communication networks; providing information about online computer games and video games via computer or communication networks; arranging and conducting competitions for video gamers and computer game players</p> <p>Class 042. First use: Peer-to-browser photo sharing services, namely, providing a website featuring technology enabling users to upload, view, and download digital photos; providing a web site featuring technology that enables users to upload and share video, photos, text, graphics and data; creating and maintaining blogs for others; providing a web hosting platform for use of non-downloadable software in connection with interactive, multiplayer and single player games for third parties</p>
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U.S. Application No.	77896317	Application Date	12/17/2009
Registration Date	NONE	Foreign Priority Date	NONE

Word Mark	FACEBOOK
Design Mark	
Description of Mark	The mark consists of the word "FACEBOOK" in white letters with a blue background.
Goods/Services	Class 036. First use: Financial transaction processing services, namely, clearing and reconciling financial transactions via computer and communication networks; Electronic processing and transmission of bill payment data for users of computer and communication networks; Electronic funds transfer services; Bill payment services; Financial exchange services, namely, providing a virtual currency for use by members of an online community via computer and communication networks

U.S. Application No.	77896315	Application Date	12/17/2009
Registration Date	NONE	Foreign Priority Date	NONE
Word Mark	FACEBOOK		
Design Mark			
Description of Mark	The mark consists of the word "FACEBOOK" in white letters with a blue background.		
Goods/Services	<p>Class 035. First use: Marketing, advertising and promotion services; market research and information services; advertising services, namely, promoting the goods and services of others via computer and communication networks; operating on-line marketplaces for sellers of goods and/or services; online retail store services featuring digital media, namely, pre-recorded digital sound, video and data recordings featuring music, text, video, games, comedy, drama, action, adventure or animation; charitable services, namely, promoting public awareness about charitable, philanthropic, volunteer, public and community service and humanitarian activities</p> <p>Class 038. First use: Delivery of digital music by electronic transmission</p> <p>Class 041. First use: Contest and incentive award programs designed to recognize, reward and encourage individuals and groups which engage in self-improvement, self-</p>		

	fulfillment, charitable, philanthropic, volunteer, public and community service and humanitarian activities and sharing of creative work product
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U.S. Registration No.	3041791	Application Date	02/24/2005
Registration Date	01/10/2006	Foreign Priority Date	NONE
Word Mark	FACEBOOK		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 035. First use: First Use: 2004/02/04 First Use In Commerce: 2004/02/04 providing an online directory information service featuring information regarding, and in the nature of, collegiate life, classifieds, virtual community and social networking Class 038. First use: First Use: 2004/02/04 First Use In Commerce: 2004/02/04 providing online chat rooms for registered users for transmission of messages concerning collegiate life, classifieds, virtual community and social networking		

U.S. Registration No.	3659516	Application Date	08/29/2006
Registration Date	07/21/2009	Foreign Priority Date	NONE
Word Mark	FACEBOOK		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 025. First use: First Use: 2006/02/00 First Use In Commerce: 2006/02/00 Clothing for men women, and children, namely, shirts, t-shirts, jackets, tops, sweat shirts, headwear, hats, caps		

U.S. Registration No.	3826546	Application Date	08/29/2006
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Registration Date	07/27/2010	Foreign Priority Date	NONE
Word Mark	FACEBOOK		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 025. First use: First Use: 2010/05/06 First Use In Commerce: 2010/05/06 Clothing for men, women and children, namely, bottoms, pants, loungewear, sweat pants		

U.S. Registration No.	3881770	Application Date	06/29/2006
Registration Date	11/23/2010	Foreign Priority Date	NONE
Word Mark	FACEBOOK		
Design Mark			
Description of Mark	NONE		
Goods/Services	<p>Class 035. First use: First Use: 2004/02/04 First Use In Commerce: 2004/04/00 Advertising and information distribution services, namely, providing classified advertising space via the global computer network; promoting the goods and services of others over the Internet; providing on-line computer databases and on-line searchable databases in the field of classifieds</p> <p>Class 038. First use: First Use: 2004/02/04 First Use In Commerce: 2004/02/04 Providing online chat rooms and electronic bulletin boards for registered users for transmission of messages concerning collegiate life, general interest, classifieds, virtual community, social networking, photo sharing, and transmission of photographic images; provision of on-line forums for the transmission of photographic images; provision of on-line forums for communications on topics of general interest</p> <p>Class 041. First use: First Use: 2004/02/04 First Use In Commerce: 2004/02/04 Providing on-line computer databases and on-line searchable databases in the</p>		

	<p>field of collegiate life concerning college athletics, concerts, entertainment events, art, performing arts, music, dance and academics; providing on-line computer databases and on-line searchable databases featuring collegiate student groups concerning subjects in the fields of academics and entertainment</p> <p>Class 042. First use: First Use: 2004/02/04 First Use In Commerce: 2004/02/04</p> <p>Computer services, namely, hosting online web facilities for others for organizing and conducting online meetings, gatherings, and interactive discussions; and computer services in the nature of customized web pages featuring user-defined information, personal profiles and information; computer services, namely, creating an on-line community for registered users to participate in discussion, get feedback from their peers, form virtual communities, and engage in social networking; peer-to-browser photo sharing services, namely, providing a website featuring technology enabling users to upload, view and download digital photos</p> <p>Class 045. First use: First Use: 2004/02/04 First Use In Commerce: 2004/02/04</p> <p>Internet based introduction and social networking services; providing on-line computer databases and on-line searchable databases in the field of social networking</p>
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U.S. Registration No.	3122052	Application Date	02/24/2005
Registration Date	07/25/2006	Foreign Priority Date	NONE
Word Mark	FACEBOOK		
Design Mark			
Description of Mark	NONE		
Goods/Services	<p>Class 035. First use: First Use: 2004/11/16 First Use In Commerce: 2004/11/16 [providing an online directory information service featuring information regarding, and in the nature of, collegiate life, classifieds, virtual community and social networking]</p> <p>Class 038. First use: First Use: 2004/11/16 First Use In Commerce: 2004/11/16 providing online chat rooms for registered users for transmission of messages concerning collegiate life, classifieds, virtual community and social networking</p>		

U.S. Registration No.	3801147	Application Date	11/07/2006
Registration Date	06/08/2010	Foreign Priority Date	NONE
Word Mark	FACEBOOK		

Design Mark	
Description of Mark	NONE
Goods/Services	<p>Class 009. First use: First Use: 2006/08/00 First Use In Commerce: 2006/08/00 Computer software development tools for social networking, building social networking applications and for allowing data retrieval, upload, access and management; application programming interface (API) for third-party software and online services for social networking, building social networking applications and for allowing data retrieval, upload, access and management</p> <p>Class 038. First use: First Use: 2004/02/00 First Use In Commerce: 2004/02/00 providing access to computer databases; electronic transmission of instant messages and data</p> <p>Class 041. First use: First Use: 2004/02/00 First Use In Commerce: 2004/02/00 Electronic publishing services, namely, publishing of online works of others featuring user-created text, audio, video, and graphics; providing on-line journals and web logs featuring user-created content</p> <p>Class 042. First use: First Use: 2004/02/00 First Use In Commerce: 2004/02/00 Providing temporary use of non-downloadable software applications for classifieds, virtual community, social networking, photo sharing, and transmission of photographic images</p>


U.S. Registration No.	3716926	Application Date	03/07/2007
Registration Date	11/24/2009	Foreign Priority Date	NONE
Word Mark	FACEBOOK		
Design Mark			
Description of Mark	NONE		
Goods/Services	<p>Class 018. First use: First Use: 2005/09/00 First Use In Commerce: 2005/09/00 Bags, namely, all purpose sports bags, all purpose carrying bags, bags and hold-alls for sports clothing, tote bags, book bags, carry-all bags, traveling bags;</p>		

	<p>umbrellas; briefcase-type portfolios</p> <p>Class 020. First use: First Use: 2005/09/00 First Use In Commerce: 2005/09/00</p> <p>Picture frames</p> <p>Class 021. First use: First Use: 2009/05/00 First Use In Commerce: 2009/05/00</p> <p>Insulating sleeves for beverage cans; insulating sleeves for beverage bottles; portable can coolers; portable bottle coolers; thermally insulated containers for beverages</p>
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U.S. Registration No.	3935447	Application Date	12/17/2009
Registration Date	03/22/2011	Foreign Priority Date	NONE
Word Mark	FACEBOOK		
Design Mark			
Description of Mark	The mark consists of the word "FACEBOOK" in white letters with a blue background.		
Goods/Services	<p>Class 009. First use: First Use: 2006/08/00 First Use In Commerce: 2006/08/00</p> <p>Computer software development tools; Computer software for use as an application programming interface (API); Application programming interface (API) for computer software which facilitates online services for social networking, building social networking applications and for allowing data retrieval, upload, download, access and management; Computer software to enable uploading, downloading, accessing, posting, displaying, tagging, blogging, streaming, linking, sharing or otherwise providing electronic media or information via computer and communication networks</p>		

U.S. Registration No.	3734637	Application Date	05/24/2007
Registration Date	01/05/2010	Foreign Priority Date	NONE
Word Mark	FACEBOOK		
Design Mark			
Description of Mark	NONE		
Goods/Services	<p>Class 009. First use: First Use: 2006/08/00 First Use In Commerce: 2006/08/00</p> <p>Software to enable uploading, posting, showing, displaying, tagging, blogging, sharing or otherwise providing electronic media or information over the Internet or other communications network</p> <p>Class 038. First use: First Use: 2004/02/00 First Use In Commerce: 2004/02/00</p> <p>Audio and video broadcasting services over the Internet or other communications network, namely, uploading, posting, showing, displaying, tagging and electronically transmitting information, audio, and video clips; providing on-line chat rooms, listservers, and on-line forums for transmission of messages among computer users concerning user-defined content; providing</p>		

	<p>on-line chat rooms and electronic bulletin boards for transmission of messages among users in the field of general interest</p> <p>Class 041. First use: First Use: 2004/02/00 First Use In Commerce: 2004/02/00</p> <p>On-line journals, namely, blogs featuring user-defined content</p> <p>Class 042. First use: First Use: 2004/02/00 First Use In Commerce: 2004/02/00</p> <p>Application service provider (ASP) featuring software to enable uploading, posting, showing, displaying, tagging, blogging, sharing or otherwise providing electronic media or information over the Internet or other communications network</p>
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U.S. Registration No.	3917332	Application Date	03/07/2007
Registration Date	02/08/2011	Foreign Priority Date	NONE
Word Mark	FACEBOOK		
Design Mark			
Description of Mark	NONE		
Goods/Services	<p>Class 018. First use: First Use: 2010/05/00 First Use In Commerce: 2010/05/00</p> <p>Bags, namely, backpacks, beach bags, gym bags; drawstring pouches</p> <p>Class 021. First use: First Use: 2009/09/11 First Use In Commerce: 2009/09/11</p> <p>Bottle openers; plastic cups; mugs; cups; foam drink holders; glass and porcelain giftware, namely, cups; beverage glassware</p>		

U.S. Registration No.	3814888	Application Date	11/07/2006
Registration Date	07/06/2010	Foreign Priority Date	NONE
Word Mark	FACEBOOK		
Design Mark			
Description of Mark	NONE		

Goods/Services	Class 042. First use: First Use: 2007/06/00 First Use In Commerce: 2007/06/00 Providing temporary use of non-downloadable software applications for video sharing
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Attachments	85147910#TMSN.jpeg (1 page)(bytes) 85147879#TMSN.jpeg (1 page)(bytes) 85147349#TMSN.jpeg (1 page)(bytes) 85147339#TMSN.jpeg (1 page)(bytes) 85147955#TMSN.jpeg (1 page)(bytes) 85147930#TMSN.jpeg (1 page)(bytes) 85147937#TMSN.jpeg (1 page)(bytes) 85147950#TMSN.jpeg (1 page)(bytes) 85147898#TMSN.jpeg (1 page)(bytes) 77896318#TMSN.jpeg (1 page)(bytes) 77896325#TMSN.jpeg (1 page)(bytes) 77896323#TMSN.jpeg (1 page)(bytes) 77896322#TMSN.jpeg (1 page)(bytes) 77896317#TMSN.jpeg (1 page)(bytes) 77896315#TMSN.jpeg (1 page)(bytes) 78574726#TMSN.jpeg (1 page)(bytes) 78981126#TMSN.jpeg (1 page)(bytes) 78962629#TMSN.jpeg (1 page)(bytes) 78920322#TMSN.jpeg (1 page)(bytes) 78574730#TMSN.jpeg (1 page)(bytes) 77979375#TMSN.jpeg (1 page)(bytes) 77978174#TMSN.jpeg (1 page)(bytes) 77896312#TMSN.jpeg (1 page)(bytes) 77125103#TMSN.jpeg (1 page)(bytes) 77039123#TMSN.jpeg (1 page)(bytes) HEALTHBOOK_Notice of Opp_08152011.pdf (60 pages)(4524632 bytes)
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Certificate of Service

The undersigned hereby certifies that a copy of this paper has been served upon all parties, at their address record by First Class Mail on this date.

Signature	/KDD/
Name	Kathryn D. Duvall
Date	08/15/2011

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

In the matter of application Serial No. 85/122,420
For the Trademark HEALTHBOOK
Published in the Official Gazette on February 15, 2011

FACEBOOK, INC.,)	
)	
Opposer,)	
)	Opposition No.
v.)	
)	
GUNTHER EYSENBACH,)	
)	
Applicant.)	
<hr/>		

NOTICE OF OPPOSITION

Opposer Facebook, Inc. ("Facebook"), a Delaware corporation having its principal place of business at 1601 S. California Avenue, Palo Alto, California 94304, believes that it will be damaged by the issuance of a registration for the mark HEALTHBOOK ("Applicant's Mark"), as applied for in Application Serial No. 85/122,420 filed on September 3, 2010 by Applicant Gunther Eysenbach ("Eysenbach" or "Applicant"), an individual residing at 59 Winners Circle, Toronto, Canada M4L3Y7.

As grounds for opposition, Facebook alleges that:

1. Since its online networking service was launched in February 2004, Facebook has continuously used the mark FACEBOOK in interstate commerce in the United States in connection with its goods and services. The FACEBOOK mark is highly distinctive with regard to online networking goods and services, and Facebook users are accustomed to seeing and expect to see Facebook across the world wide web, not just on the Facebook site.

2. Facebook owns multiple U.S. registrations for the mark FACEBOOK. These registrations cover a wide variety of goods and services, including, but not limited to:

- Online networking services; online chat functions for transmission of messages, photographs, videos, and other user-defined content; and online forums;
- Hosting customized web pages featuring user-defined information and personal profiles;
- Online journals featuring user-defined content and electronic publishing services; and
- Software to enable uploading, tagging, and sharing of photographs, videos, and other user-defined content or information.

3. True and correct copies of registrations for the FACEBOOK mark are attached hereto as Exhibit A, and are incorporated by reference as though fully set forth herein.

4. In addition, Facebook has common law rights in the FACEBOOK mark and marks that incorporate FACEBOOK in connection with various other goods and services, including as identified in pending U.S. trademark applications. True and correct copies of the U.S. Patent and Trademark Office online status pages for Facebook's pending trademark applications for its FACEBOOK and FACEBOOK-formative marks are attached hereto as Exhibit B, and are incorporated by reference as though fully set forth herein. All of Facebook's marks that consist of or incorporate the term FACEBOOK are referred to herein as the "FACEBOOK Marks."

5. As a result of the nature and quality of Facebook's goods and services, its widespread use of the FACEBOOK Marks, extensive and continuous media coverage, the high degree of consumer recognition of the FACEBOOK Marks, Facebook's enormous and loyal user base, its numerous trademark registrations and pending applications, and other factors, the FACEBOOK Marks are famous within the meaning of Section 43(c) of the United States

Trademark Act, 15 U.S.C. § 1125(c).

6. On September 3, 2010, Applicant filed an application to register Applicant's Mark based on use in commerce since August 1, 2009 for: "Providing an interactive web site that enables users to enter, access, track, monitor and generate health and medical information and reports" in International Class 042, and "Providing health information; Providing medical information" in International Class 044.

7. According to the recitation of services and specimen submitted with the application, Applicant uses Applicant's Mark in connection with a business and online website available at www.healthbook.com that offers social networking services related to health and medicine. A true and correct copy of the specimen submitted with the application is attached hereto as Exhibit C.

8. Applicant's Mark was published in the *Official Gazette* on February 15, 2011.

**FIRST GROUND FOR OPPOSITION:
LIKELIHOOD OF CONFUSION**

9. Facebook incorporates by reference Paragraphs 1 through 8, inclusive, as if fully set forth herein.

10. Facebook began using its FACEBOOK mark at least as early as February 2004, and filed applications resulting in federal registrations well prior to August 1, 2009, Applicant's claimed date of first use in commerce, and September 3, 2010, Applicant's filing date..

11. Applicant's Mark is similar to the registered FACEBOOK Marks in appearance, sound, meaning, and commercial impression.

12. Applicant's services under Applicant's Mark, as identified in his application and accompanying specimen, are the same as and/or related to Facebook's goods and services.

13. Applicant offers his services under Applicant's Mark through the same channel of

trade, i.e., the internet, as Facebook.

14. Facebook is informed and believes, and based thereon alleges, that Applicant's Mark was adopted with knowledge of, and the intent to call to mind and create a likelihood of confusion with regard to, and/or trade off the fame of Facebook and the registered FACEBOOK Marks.

15. Applicant's Mark creates a false suggestion of an affiliation or connection between Applicant and Facebook, where none exists.

16. Facebook is not affiliated or connected with Applicant or his services; nor has Facebook endorsed or sponsored Applicant or his services.

17. Facebook has no control over the nature and quality of the services offered under Applicant's Mark, and the value of Facebook's registered and common law marks are jeopardized by the registration of Applicant's Mark. Because of the likelihood of confusion between the parties' marks, any defects, improprieties, or faults found with Applicant's services marketed under Applicant's Mark would negatively reflect upon and injure the reputation that Facebook has established for the goods and services it offers in connection with the registered FACEBOOK Marks.

18. Registration of the mark herein opposed will damage Facebook because Applicant's Mark is likely, when used on or in connection with the services described in the opposed application, to cause confusion, or to cause mistake or to deceive. Thus, Applicant's Mark is unregistrable under 15 U.S.C. §§1052, 1053, 1063 and 1125 and should be refused registration.

**SECOND GROUND FOR OPPOSITION:
DILUTION OF A FAMOUS MARK**

19. Facebook incorporates by reference Paragraphs 1 through 18 inclusive, as if fully

set forth herein.

20. The FACEBOOK Marks are inherently distinctive in relation to Facebook's online networking goods and services.

21. Facebook has used the FACEBOOK trademark since at least as early as 2004 for online networking services, and has expanded use of the FACEBOOK Marks to many other goods and services.

22. Facebook is the owner of numerous U.S. registrations and applications for the FACEBOOK Marks.

23. Facebook has continuously used the FACEBOOK Marks throughout the United States and internationally.

24. As a result of the enormous publicity afforded the FACEBOOK Marks, and the strong and loyal base of customers that enjoys Facebook's goods and services, the FACEBOOK Marks have a high degree of consumer recognition, are widely recognized by the general consuming public of the United States as a designation of Facebook's goods and services, and are famous.

25. The FACEBOOK Marks became famous before Applicant's filing to register Applicant's Mark on September 3, 2010, and before Applicant's asserted date of first use in United States commerce of August 1, 2009.

26. Applicant's Mark incorporates a distinctive part of the FACEBOOK Marks, i.e., the "book" suffix, and its use is likely to cause an association between Applicant's Mark and the FACEBOOK Marks that impairs the distinctiveness of the FACEBOOK Marks and weakens the connection in the public's mind between the FACEBOOK Marks and Facebook's goods and services.

27. Applicant's Mark is likely to cause dilution by blurring based on a number of relevant considerations, including:

- (a) Applicant's Mark is similar to the FACEBOOK Marks;
- (b) The FACEBOOK Marks are inherently distinctive in relation to Facebook's online networking goods and services;
- (c) Facebook has substantially and exclusively used the FACEBOOK Marks in connection with online networking goods and services;
- (d) The FACEBOOK Marks are widely recognized by the general consuming public;
- (e) Facebook is informed and believes, and based thereon alleges, that Applicant's adoption and use of Applicant's Mark was and is intended to create an association with the FACEBOOK Marks.

28. Accordingly, Applicant's Mark is unregistrable under 15 U.S.C. §§ 1052, 1053, 1063, and 1125, and should be refused registration.

Wherefore, Facebook prays that this Opposition be sustained, and that Application Serial No. 85/122,420 be refused.

Respectfully submitted,

COOLEY LLP
ANNE H. PECK
JEFFREY T. NORBERG
GAVIN L. CHARLSTON
LORI F. MAYALL
KATHRYN D. DUVALL

Date: August 15, 2011

By: Kathryn D. Duvall
Kathryn D. Duvall
Attorneys for Opposer Facebook, Inc.

Cooley LLP
777 6th St., NW
Suite 1100
Washington, D.C. 20001
T: 650-843-5000
F: 650-849-7400

CERTIFICATE OF TRANSMITTAL AND SERVICE

I hereby certify that this Notice of Opposition is being electronically transmitted in PDF format to the Trademark Trial and Appeal Board through the Electronic System for Trademark Trials and Appeals (ESTTA) on the date indicated below.

I hereby further certify that on the date indicated below, a true and correct copy of this Notice of Opposition was placed in the United States Mail via First Class Mail, addressed to the applicant (also identified as the correspondent for the subject application), and Applicant's counsel, as follows:

Gunther Eysenbach
59 Winners Circle
Toronto, Canada M4L3Y7

Erik M. Pelton
Erik M. Pelton & Associates, PLLC
P.O. Box 100637
Arlington, VA 22210-3637

Date: August 15, 2011



Kathryn D. Duvall

EXHIBIT A

Int. Cls.: 35 and 38

Prior U.S. Cls.: 100, 101, 102 and 104

United States Patent and Trademark Office

Reg. No. 3,041,791

Registered Jan. 10, 2006

**SERVICE MARK
PRINCIPAL REGISTER**

THEFACEBOOK

THEFACEBOOK, INC. (DELAWARE CORPORATION)
471 EMERSON STREET
PALO ALTO, CA 943011605

FOR: PROVIDING AN ONLINE DIRECTORY INFORMATION SERVICE FEATURING INFORMATION REGARDING, AND IN THE NATURE OF, COLLEGIATE LIFE, CLASSIFIEDS, VIRTUAL COMMUNITY AND SOCIAL NETWORKING, IN CLASS 35 (U.S. CLS. 100, 101 AND 102).

FIRST USE 2-4-2004; IN COMMERCE 2-4-2004.

FOR: PROVIDING ONLINE CHAT ROOMS FOR REGISTERED USERS FOR TRANSMISSION OF

MESSAGES CONCERNING COLLEGIATE LIFE, CLASSIFIEDS, VIRTUAL COMMUNITY AND SOCIAL NETWORKING, IN CLASS 38 (U.S. CLS. 100, 101 AND 104).

FIRST USE 2-4-2004; IN COMMERCE 2-4-2004.

THE MARK CONSISTS OF STANDARD CHARACTERS WITHOUT CLAIM TO ANY PARTICULAR FONT, STYLE, SIZE, OR COLOR.

SER. NO. 78-574,726, FILED 2-24-2005.

MATTHEW KLINE, EXAMINING ATTORNEY



United States Patent and Trademark Office

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FACEBOOK

Word Mark

FACEBOOK

Goods and Services

IC 035. US 100 101 102. G & S: providing an online directory information service featuring information regarding, and in the nature of, collegiate life, classifieds, virtual community and social networking. FIRST USE: 20040204. FIRST USE IN COMMERCE: 20040204

IC 038. US 100 101 104. G & S: providing online chat rooms for registered users for transmission of messages concerning collegiate life, classifieds, virtual community and social networking. FIRST USE: 20040204. FIRST USE IN COMMERCE: 20040204

Standard Characters Claimed**Mark Drawing Code**

(4) STANDARD CHARACTER MARK

Serial Number

78574726

Filing Date

February 24, 2005

Current Filing Basis

1A

Original Filing Basis

1A

Published for Opposition

October 18, 2005

Change In Registration

CHANGE IN REGISTRATION HAS OCCURRED

Registration Number

3041791

Registration Date

January 10, 2006

Owner

(REGISTRANT) THEFACEBOOK, Inc. CORPORATION DELAWARE 471 Emerson Street Palo Alto CALIFORNIA 943011605

(LAST LISTED OWNER) FACEBOOK, INC. CORPORATION DELAWARE 1601 South California Avenue
Palo Alto CALIFORNIA 94304

Assignment Recorded ASSIGNMENT RECORDED

Attorney of Record Anne H. Peck

Type of Mark SERVICE MARK

Register PRINCIPAL

Affidavit Text SECT 8 (6-YR).

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Int. Cls.: 35 and 38

Prior U.S. Cls.: 100, 101, 102, and 104

United States Patent and Trademark Office

Reg. No. 3,122,052

Registered July 25, 2006

**SERVICE MARK
PRINCIPAL REGISTER**

FACEBOOK

FACEBOOK, INC. (DELAWARE CORPORATION)
156 UNIVERSITY AVENUE
PALO ALTO, CA 94301

FOR: PROVIDING AN ONLINE DIRECTORY
INFORMATION SERVICE FEATURING INFORMATION
REGARDING, AND IN THE NATURE OF,
COLLEGIATE LIFE, CLASSIFIEDS, VIRTUAL COM-
MUNITY AND SOCIAL NETWORKING, IN CLASS
35 (U.S. CLS. 100, 101 AND 102).

FIRST USE 11-16-2004; IN COMMERCE 11-16-2004.

FOR: PROVIDING ONLINE CHAT ROOMS FOR
REGISTERED USERS FOR TRANSMISSION OF

MESSAGES CONCERNING COLLEGIATE LIFE,
CLASSIFIEDS, VIRTUAL COMMUNITY AND SO-
CIAL NETWORKING, IN CLASS 38 (U.S. CLS. 100,
101 AND 104).

FIRST USE 11-16-2004; IN COMMERCE 11-16-2004.

THE MARK CONSISTS OF STANDARD CHAR-
ACTERS WITHOUT CLAIM TO ANY PARTICULAR
FONT, STYLE, SIZE, OR COLOR.

SN 78-574,730, FILED 2-24-2005.

MATTHEW KLINE, EXAMINING ATTORNEY



United States Patent and Trademark Office

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FACEBOOK

Word Mark

FACEBOOK

Goods and Services

(CANCELLED) IC 035. US 100 101 102. G & S: [providing an online directory information service featuring information regarding, and in the nature of, collegiate life, classifieds, virtual community and social networking]. FIRST USE: 20041116. FIRST USE IN COMMERCE: 20041116

IC 038. US 100 101 104. G & S: providing online chat rooms for registered users for transmission of messages concerning collegiate life, classifieds, virtual community and social networking. FIRST USE: 20041116. FIRST USE IN COMMERCE: 20041116

Standard Characters Claimed

Mark Drawing Code

(4) STANDARD CHARACTER MARK

Serial Number

78574730

Filing Date

February 24, 2005

Current Filing Basis

1A

Original Filing Basis

1B

Published for Opposition

October 4, 2005

Change In Registration

CHANGE IN REGISTRATION HAS OCCURRED

Registration Number

3122052

Registration Date

July 25, 2006

Owner

(REGISTRANT) FACEBOOK, INC. CORPORATION DELAWARE 1601 South California Avenue Palo Alto CALIFORNIA 94304

Assignment Recorded	ASSIGNMENT RECORDED
Attorney of Record	Anne H. Peck
Type of Mark	SERVICE MARK
Register	PRINCIPAL
Live/Dead Indicator	LIVE

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Int. Cl.: 25

Prior U.S. Cls.: 22 and 39

United States Patent and Trademark Office

Reg. No. 3,659,516

Registered July 21, 2009

**TRADEMARK
PRINCIPAL REGISTER**

FACEBOOK

FACEBOOK, INC. (DELAWARE CORPORATION)
156 UNIVERSITY AVENUE
PALO ALTO, CA 94301

FOR: CLOTHING FOR MEN WOMEN, AND
CHILDREN, NAMELY, SHIRTS, T-SHIRTS, JACK-
ETS, TOPS, SWEAT SHIRTS, HEADWEAR, HATS,
CAPS, IN CLASS 25 (U.S. CLS. 22 AND 39).

FIRST USE 2-0-2006; IN COMMERCE 2-0-2006.

THE MARK CONSISTS OF STANDARD CHAR-
ACTERS WITHOUT CLAIM TO ANY PARTICULAR
FONT, STYLE, SIZE, OR COLOR.

OWNER OF U.S. REG. NOS. 3,041,791 AND
3,122,052.

SN 78-981,126, FILED 8-29-2006.

EDWARD NELSON, EXAMINING ATTORNEY

United States of America

United States Patent and Trademark Office

FACEBOOK

Reg. No. 3,716,926 FACEBOOK, INC. (DELAWARE CORPORATION)
Registered Nov. 24, 2009 1601 SOUTH CALIFORNIA AVENUE
PALO ALTO, CA 94304

Int. Cls.: 18, 20, and 21 FOR: BAGS, NAMELY, ALL PURPOSE SPORTS BAGS, ALL PURPOSE CARRYING BAGS, BAGS AND HOLD-ALLS FOR SPORTS CLOTHING, TOTE BAGS, BOOK BAGS, CARRY-ALL BAGS, TRAVELING BAGS; UMBRELLAS; BRIEFCASE-TYPE PORTFOLIOS, IN CLASS 18 (U.S. CLS. 1, 2, 3, 22 AND 41).

**TRADEMARK
PRINCIPAL REGISTER**

FIRST USE 9-0-2005; IN COMMERCE 9-0-2005.

FOR: PICTURE FRAMES, IN CLASS 20 (U.S. CLS. 2, 13, 22, 25, 32 AND 50).

FIRST USE 9-0-2005; IN COMMERCE 9-0-2005.

FOR: INSULATING SLEEVES FOR BEVERAGE CANS; INSULATING SLEEVES FOR BEVERAGE BOTTLES; PORTABLE CAN COOLERS; PORTABLE BOTTLE COOLERS; THERMALLY INSULATED CONTAINERS FOR BEVERAGES, IN CLASS 21 (U.S. CLS. 2, 13, 23, 29, 30, 33, 40 AND 50).

FIRST USE 5-0-2009; IN COMMERCE 5-0-2009.

THE MARK CONSISTS OF STANDARD CHARACTERS WITHOUT CLAIM TO ANY PARTICULAR FONT, STYLE, SIZE, OR COLOR.

OWNER OF U.S. REG. NOS. 3,041,791 AND 3,122,052.

SN 77-978,174, FILED 3-7-2007.

LINDA LAVACHIE, EXAMINING ATTORNEY



David J. Kyfas

Director of the United States Patent and Trademark Office

United States of America

United States Patent and Trademark Office

FACEBOOK

Reg. No. 3,734,637 FACEBOOK, INC. (DELAWARE CORPORATION)
Registered Jan. 5, 2010 1601 SOUTH CALIFORNIA AVENUE
PALO ALTO, CA 94304

Int. Cls.: 9, 38, 41, and 42 FOR: SOFTWARE TO ENABLE UPLOADING, POSTING, SHOWING, DISPLAYING, TAGGING, BLOGGING, SHARING OR OTHERWISE PROVIDING ELECTRONIC MEDIA OR INFORMATION OVER THE INTERNET OR OTHER COMMUNICATIONS NETWORK, IN CLASS 9 (U.S. CLS. 21, 23, 26, 36 AND 38).

**TRADEMARK
SERVICE MARK
PRINCIPAL REGISTER**

FIRST USE 8-0-2006; IN COMMERCE 8-0-2006.

FOR: AUDIO AND VIDEO BROADCASTING SERVICES OVER THE INTERNET OR OTHER COMMUNICATIONS NETWORK, NAMELY, UPLOADING, POSTING, SHOWING, DISPLAYING, TAGGING AND ELECTRONICALLY TRANSMITTING INFORMATION, AUDIO, AND VIDEO CLIPS; PROVIDING ON-LINE CHAT ROOMS, LISTSERVERS, AND ON-LINE FORUMS FOR TRANSMISSION OF MESSAGES AMONG COMPUTER USERS CONCERNING USER-DEFINED CONTENT; PROVIDING ON-LINE CHAT ROOMS AND ELECTRONIC BULLETIN BOARDS FOR TRANSMISSION OF MESSAGES AMONG USERS IN THE FIELD OF GENERAL INTEREST, IN CLASS 38 (U.S. CLS. 100, 101 AND 104).

FIRST USE 2-0-2004; IN COMMERCE 2-0-2004.

FOR: ON-LINE JOURNALS, NAMELY, BLOGS FEATURING USER-DEFINED CONTENT, IN CLASS 41 (U.S. CLS. 100, 101 AND 107).

FIRST USE 2-0-2004; IN COMMERCE 2-0-2004.

FOR: APPLICATION SERVICE PROVIDER (ASP) FEATURING SOFTWARE TO ENABLE UPLOADING, POSTING, SHOWING, DISPLAYING, TAGGING, BLOGGING, SHARING OR OTHERWISE PROVIDING ELECTRONIC MEDIA OR INFORMATION OVER THE INTERNET OR OTHER COMMUNICATIONS NETWORK, IN CLASS 42 (U.S. CLS. 100 AND 101).

FIRST USE 2-0-2004; IN COMMERCE 2-0-2004.

THE MARK CONSISTS OF STANDARD CHARACTERS WITHOUT CLAIM TO ANY PARTICULAR FONT, STYLE, SIZE, OR COLOR.

OWNER OF U.S. REG. NOS. 3,041,791 AND 3,122,052.

SN 77-189,479, FILED 5-24-2007.

TRACY CROSS, EXAMINING ATTORNEY



David J. Kyfas

Director of the United States Patent and Trademark Office

United States of America

United States Patent and Trademark Office

FACEBOOK

Reg. No. 3,801,147

Registered June 8, 2010

Int. Cls.: 9, 38, 41, and 42

TRADEMARK

SERVICE MARK

PRINCIPAL REGISTER

FACEBOOK, INC. (DELAWARE CORPORATION)
1601 SOUTH CALIFORNIA AVENUE
PALO ALTO, CA 94304

FOR: COMPUTER SOFTWARE DEVELOPMENT TOOLS FOR SOCIAL NETWORKING, BUILDING SOCIAL NETWORKING APPLICATIONS AND FOR ALLOWING DATA RETRIEVAL, UPLOAD, ACCESS AND MANAGEMENT, APPLICATION PROGRAMMING INTERFACE (API) FOR THIRD-PARTY SOFTWARE AND ONLINE SERVICES FOR SOCIAL NETWORKING, BUILDING SOCIAL NETWORKING APPLICATIONS AND FOR ALLOWING DATA RETRIEVAL, UPLOAD, ACCESS AND MANAGEMENT, IN CLASS 9 (U.S. CLS. 21, 23, 26, 36 AND 38).

FIRST USE 8-0-2006; IN COMMERCE 8-0-2006.

FOR: PROVIDING ACCESS TO COMPUTER DATABASES; ELECTRONIC TRANSMISSION OF INSTANT MESSAGES AND DATA, IN CLASS 38 (U.S. CLS. 100, 101 AND 104).

FIRST USE 2-0-2004; IN COMMERCE 2-0-2004.

FOR: ELECTRONIC PUBLISHING SERVICES, NAMELY, PUBLISHING OF ONLINE WORKS OF OTHERS FEATURING USER-CREATED TEXT, AUDIO, VIDEO, AND GRAPHICS; PROVIDING ON-LINE JOURNALS AND WEB LOGS FEATURING USER-CREATED CONTENT, IN CLASS 41 (U.S. CLS. 100, 101 AND 107).

FIRST USE 2-0-2004; IN COMMERCE 2-0-2004.

FOR: PROVIDING TEMPORARY USE OF NON-DOWNLOADABLE SOFTWARE APPLICATIONS FOR CLASSIFIEDS, VIRTUAL COMMUNITY, SOCIAL NETWORKING, PHOTO SHARING, AND TRANSMISSION OF PHOTOGRAPHIC IMAGES, IN CLASS 42 (U.S. CLS. 100 AND 101).

FIRST USE 2-0-2004; IN COMMERCE 2-0-2004.

THE MARK CONSISTS OF STANDARD CHARACTERS WITHOUT CLAIM TO ANY PARTICULAR FONT, STYLE, SIZE, OR COLOR.

OWNER OF U.S. REG. NOS. 3,041,791 AND 3,122,052.

SN 77-979,375, FILED 11-7-2006.

EDWARD NELSON, EXAMINING ATTORNEY



David J. Kypas

Director of the United States Patent and Trademark Office

United States of America

United States Patent and Trademark Office

FACEBOOK

Reg. No. 3,814,888

Registered July 6, 2010

Int. Cl.: 42

SERVICE MARK

PRINCIPAL REGISTER

FACEBOOK, INC. (DELAWARE CORPORATION)
1601 SOUTH CALIFORNIA AVENUE
PALO ALTO, CA 94304

FOR: PROVIDING TEMPORARY USE OF NON-DOWNLOADABLE SOFTWARE APPLICATIONS FOR VIDEO SHARING, IN CLASS 42 (U.S. CLS. 100 AND 101).

FIRST USE 6-0-2007, IN COMMERCE 6-0-2007.

THE MARK CONSISTS OF STANDARD CHARACTERS WITHOUT CLAIM TO ANY PARTICULAR FONT, STYLE, SIZE, OR COLOR.

OWNER OF U.S. REG. NOS. 3,041,791 AND 3,122,052.

SN 77-039,123, FILED 11-7-2006.

EDWARD NELSON, EXAMINING ATTORNEY



David J. Kybas

Director of the United States Patent and Trademark Office

United States of America

United States Patent and Trademark Office

FACEBOOK

Reg. No. 3,826,546

Registered July 27, 2010

Int. Cl.: 25

TRADEMARK

PRINCIPAL REGISTER

FACEBOOK, INC. (DELAWARE CORPORATION)
1601 SOUTH CALIFORNIA AVENUE
PALO ALTO, CA 94304

FOR: CLOTHING FOR MEN, WOMEN AND CHILDREN, NAMELY, BOTTOMS, PANTS, LOUNGEWEAR, SWEAT PANTS, IN CLASS 25 (U.S. CLS. 22 AND 39).

FIRST USE 5-6-2010; IN COMMERCE 5-6-2010.

THE MARK CONSISTS OF STANDARD CHARACTERS WITHOUT CLAIM TO ANY PARTICULAR FONT, STYLE, SIZE, OR COLOR.

OWNER OF U.S. REG. NOS. 3,041,791 AND 3,122,052.

SN 78-962,629, FILED 8-29-2006.

EDWARD NELSON, EXAMINING ATTORNEY



David J. Kybas

Director of the United States Patent and Trademark Office

United States of America

United States Patent and Trademark Office

FACEBOOK

Reg. No. 3,881,770

Registered Nov. 23, 2010

**Int. Cls.: 35, 38, 41, 42,
and 45**

SERVICE MARK

PRINCIPAL REGISTER

FACEBOOK, INC. (DELAWARE CORPORATION)
1601 SOUTH CALIFORNIA AVENUE
PALO ALTO, CA 94304

FOR: ADVERTISING AND INFORMATION DISTRIBUTION SERVICES, NAMELY, PROVIDING CLASSIFIED ADVERTISING SPACE VIA THE GLOBAL COMPUTER NETWORK; PROMOTING THE GOODS AND SERVICES OF OTHERS OVER THE INTERNET; PROVIDING ON-LINE COMPUTER DATABASES AND ON-LINE SEARCHABLE DATABASES IN THE FIELD OF CLASSIFIEDS, IN CLASS 35 (U.S. CLS. 100, 101 AND 102).

FIRST USE 2-4-2004; IN COMMERCE 4-0-2004.

FOR: PROVIDING ONLINE CHAT ROOMS AND ELECTRONIC BULLETIN BOARDS FOR REGISTERED USERS FOR TRANSMISSION OF MESSAGES CONCERNING COLLEGIATE LIFE, GENERAL INTEREST, CLASSIFIEDS, VIRTUAL COMMUNITY, SOCIAL NETWORKING, PHOTO SHARING, AND TRANSMISSION OF PHOTOGRAPHIC IMAGES; PROVISION OF ON-LINE FORUMS FOR THE TRANSMISSION OF PHOTOGRAPHIC IMAGES; PROVISION OF ON-LINE FORUMS FOR COMMUNICATIONS ON TOPICS OF GENERAL INTEREST, IN CLASS 38 (U.S. CLS. 100, 101 AND 104).

FIRST USE 2-4-2004; IN COMMERCE 2-4-2004.

FOR: PROVIDING ON-LINE COMPUTER DATABASES AND ON-LINE SEARCHABLE DATABASES IN THE FIELD OF COLLEGIATE LIFE CONCERNING COLLEGE ATHLETICS, CONCERTS, ENTERTAINMENT EVENTS, ART, PERFORMING ARTS, MUSIC, DANCE AND ACADEMICS; PROVIDING ON-LINE COMPUTER DATABASES AND ON-LINE SEARCHABLE DATABASES FEATURING COLLEGIATE STUDENT GROUPS CONCERNING SUBJECTS IN THE FIELDS OF ACADEMICS AND ENTERTAINMENT, IN CLASS 41 (U.S. CLS. 100, 101 AND 107).

FIRST USE 2-4-2004; IN COMMERCE 2-4-2004.

FOR: COMPUTER SERVICES, NAMELY, HOSTING ONLINE WEB FACILITIES FOR OTHERS FOR ORGANIZING AND CONDUCTING ONLINE MEETINGS, GATHERINGS, AND INTERACTIVE DISCUSSIONS; AND COMPUTER SERVICES IN THE NATURE OF CUSTOMIZED WEB PAGES FEATURING USER-DEFINED INFORMATION, PERSONAL PROFILES AND INFORMATION; COMPUTER SERVICES, NAMELY, CREATING AN ON-LINE COMMUNITY FOR REGISTERED USERS TO PARTICIPATE IN DISCUSSION, GET FEEDBACK FROM THEIR PEERS, FORM VIRTUAL COMMUNITIES, AND ENGAGE IN SOCIAL NETWORKING; PEER-TO-BROWSER PHOTO SHARING SERVICES, NAMELY, PROVIDING A WEBSITE FEATURING TECHNOLOGY ENABLING USERS TO UPLOAD, VIEW AND DOWNLOAD DIGITAL PHOTOS, IN CLASS 42 (U.S. CLS. 100 AND 101).



David J. Kappas

Director of the United States Patent and Trademark Office

Reg. No. 3,881,770 FIRST USE 2-4-2004; IN COMMERCE 2-4-2004.

FOR: INTERNET BASED INTRODUCTION AND SOCIAL NETWORKING SERVICES;
PROVIDING ON-LINE COMPUTER DATABASES AND ON-LINE SEARCHABLE DATA-
BASES IN THE FIELD OF SOCIAL NETWORKING, IN CLASS 45 (U.S. CLS. 100 AND 101).

FIRST USE 2-4-2004; IN COMMERCE 2-4-2004.

THE MARK CONSISTS OF STANDARD CHARACTERS WITHOUT CLAIM TO ANY PAR-
TICULAR FONT, STYLE, SIZE, OR COLOR.

OWNER OF U.S. REG. NOS. 3,041,791 AND 3,122,052.

SN 78-920,322, FILED 6-29-2006.

EDWARD NELSON, EXAMINING ATTORNEY

United States of America

United States Patent and Trademark Office

FACEBOOK

Reg. No. 3,917,332

Registered Feb. 8, 2011

Int. Cls.: 18 and 21

TRADEMARK

PRINCIPAL REGISTER

FACEBOOK, INC. (DELAWARE CORPORATION)
1601 SOUTH CALIFORNIA AVENUE
PALO ALTO, CA 94304

FOR: BAGS, NAMELY, BACKPACKS, BEACH BAGS, GYM BAGS; DRAWSTRING POUCHES,
IN CLASS 18 (U.S. CLS. 1, 2, 3, 22 AND 41).

FIRST USE 5-0-2010; IN COMMERCE 5-0-2010.

FOR: BOTTLE OPENERS; PLASTIC CUPS, MUGS; CUPS; FOAM DRINK HOLDERS; GLASS
AND PORCELAIN GIFTWARE, NAMELY, CUPS; BEVERAGE GLASSWARE, IN CLASS 21
(U.S. CLS. 2, 13, 23, 29, 30, 33, 40 AND 50).

FIRST USE 9-11-2009; IN COMMERCE 9-11-2009.

THE MARK CONSISTS OF STANDARD CHARACTERS WITHOUT CLAIM TO ANY PAR-
TICULAR FONT, STYLE, SIZE, OR COLOR.

OWNER OF U.S. REG. NOS. 3,041,791 AND 3,122,052.

SN 77-125,103, FILED 3-7-2007.

LINDA LAVACHE, EXAMINING ATTORNEY



David J. Kyros

Director of the United States Patent and Trademark Office

United States of America

United States Patent and Trademark Office

The Facebook logo, consisting of the word "facebook" in white lowercase letters on a black rectangular background.

Reg. No. 3,935,447

Registered Mar. 22, 2011

Int. Cl.: 9

TRADEMARK

PRINCIPAL REGISTER

FACEBOOK, INC. (DELAWARE CORPORATION)
1601 SOUTH CALIFORNIA AVENUE
PALO ALTO, CA 94304

FOR: COMPUTER SOFTWARE DEVELOPMENT TOOLS; COMPUTER SOFTWARE FOR USE AS AN APPLICATION PROGRAMMING INTERFACE (API); APPLICATION PROGRAMMING INTERFACE (API) FOR COMPUTER SOFTWARE WHICH FACILITATES ONLINE SERVICES FOR SOCIAL NETWORKING, BUILDING SOCIAL NETWORKING APPLICATIONS AND FOR ALLOWING DATA RETRIEVAL, UPLOAD, DOWNLOAD, ACCESS AND MANAGEMENT; COMPUTER SOFTWARE TO ENABLE UPLOADING, DOWNLOADING, ACCESSING, POSTING, DISPLAYING, TAGGING, BLOGGING, STREAMING, LINKING, SHARING OR OTHERWISE PROVIDING ELECTRONIC MEDIA OR INFORMATION VIA COMPUTER AND COMMUNICATION NETWORKS, IN CLASS 9 (U.S. CLS. 21, 23, 26, 36 AND 38).

FIRST USE 8-0-2006; IN COMMERCE 8-0-2006.

OWNER OF U.S. REG. NOS. 3,041,791, 3,734,637, AND OTHERS.

THE COLOR(S) BLUE AND WHITE IS/ARE CLAIMED AS A FEATURE OF THE MARK.

THE MARK CONSISTS OF THE WORD "FACEBOOK" IN WHITE LETTERS WITH A BLUE BACKGROUND.

SN 77-896,312, FILED 12-17-2009.

JAY FLOWERS, EXAMINING ATTORNEY



David J. Kybas

Director of the United States Patent and Trademark Office

EXHIBIT B



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FACEBOOK

Goods and Services

IC 035. US 100 101 102. G & S: Marketing, advertising and promotion services; market research and information services; advertising services, namely, promoting the goods and services of others via computer and communication networks; operating on-line marketplaces for sellers of goods and/or services; online retail store services featuring digital media, namely, pre-recorded digital sound, video and data recordings featuring music, text, video, games, comedy, drama, action, adventure or animation; charitable services, namely, promoting public awareness about charitable, philanthropic, volunteer, public and community service and humanitarian activities

IC 038. US 100 101 104. G & S: Delivery of digital music by electronic transmission

IC 041. US 100 101 107. G & S: Contest and incentive award programs designed to recognize, reward and encourage individuals and groups which engage in self-improvement, self-fulfillment, charitable, philanthropic, volunteer, public and community service and humanitarian activities and sharing of creative work product

Mark Drawing Code

(3) DESIGN PLUS WORDS, LETTERS, AND/OR NUMBERS

Design Search Code

26.11.21 - Rectangles that are completely or partially shaded
26.11.25 - Rectangles with one or more curved sides

Serial Number 77896315**Filing Date**

December 17, 2009

Current Filing Basis

1B

Original Filing Basis

1B

Published for Opposition

November 23, 2010

Owner

(APPLICANT) Facebook, Inc. CORPORATION DELAWARE 1601 South California Avenue Palo Alto CALIFORNIA 94304

Attorney of Record

Anne H. Peck

Prior Registrations 3041791;3122052;3734637;AND OTHERS

Description of Mark The color(s) blue and white is/are claimed as a feature of the mark. The mark consists of the word "FACEBOOK" in white letters with a blue background.

Type of Mark SERVICE MARK

Register PRINCIPAL

Live/Dead Indicator LIVE

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Browser to return to TESS)

Word Mark	FACEBOOK
Goods and Services	IC 036. US 100 101 102. G & S: Financial transaction processing services, namely, clearing and reconciling financial transactions via computer and communication networks; Electronic processing and transmission of bill payment data for users of computer and communication networks; Electronic funds transfer services; Bill payment services; Financial exchange services, namely, providing a virtual currency for use by members of an online community via computer and communication networks
Mark Drawing Code	(3) DESIGN PLUS WORDS, LETTERS, AND/OR NUMBERS
Design Search Code	26.11.21 - Rectangles that are completely or partially shaded 26.11.25 - Rectangles with one or more curved sides
Serial Number	77896317
Filing Date	December 17, 2009
Current Filing Basis	1B
Original Filing Basis	1B
Published for Opposition	May 25, 2010
Owner	(APPLICANT) Facebook, Inc. CORPORATION DELAWARE 1601 South California Avenue Palo Alto CALIFORNIA 94304
Attorney of Record	Anne H. Peck
Prior Registrations	3041791;3122052;3734637;AND OTHERS
Description of Mark	The color(s) blue and white is/are claimed as a feature of the mark. The mark consists of the word "FACEBOOK" in white letters with a blue background.
Type of Mark	SERVICE MARK
Register	PRINCIPAL

**Live/Dead
Indicator**

LIVE

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Goods and Services IC 038. US 100 101 104. G & S: Providing access to computer, electronic and online databases; telecommunications services, namely, electronic transmission of data, messages and information; providing online forums for communication on topics of general interest; providing online communications links which transfer web site users to other local and global web pages; providing access to web sites for others hosted on computer servers accessible via a global computer network; providing access to third party web sites by enabling users to log in through a universal username and password via a global computer network and other communication networks; providing online chat rooms and electronic bulletin boards for transmission of messages among users in the field of general interest; audio, text and video broadcasting services over the Internet or other communications networks featuring the uploaded, posted and tagged audio, text and video content of others; audio, text and video broadcasting services over the Internet or other communications networks, namely, electronically transmitting audio clips, text and video clips of others

IC 045. US 100 101. G & S: Identification verification services, namely, providing authentication of personal identification information

Mark Drawing Code (3) DESIGN PLUS WORDS, LETTERS, AND/OR NUMBERS**Design** 26.11.21 - Rectangles that are completely or partially shaded**Search Code** 26.11.25 - Rectangles with one or more curved sides**Serial Number** 77896318**Filing Date** December 17, 2009**Current Filing Basis** 1B**Original Filing Basis** 1B**Published for Opposition** December 21, 2010**Owner** (APPLICANT) Facebook, Inc. CORPORATION DELAWARE 1601 South California Avenue Palo Alto CALIFORNIA 94304

**Attorney of
Record** Anne H. Peck

**Prior
Registrations** 3041791;3122052;3734637;AND OTHERS

**Description of
Mark** The color(s) blue and white is/are claimed as a feature of the mark. The mark consists of the word
"FACEBOOK" in white letters with a blue background.

Type of Mark SERVICE MARK

Register PRINCIPAL

**Live/Dead
Indicator** LIVE

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IC 041. US 100 101 107. G & S: Providing computer, electronic and online databases in the field of entertainment and in the fields of secondary, collegiate, social and community interest groups; on-line journals, namely, blogs in the fields of entertainment, education, social, political, cultural, economic, scientific and general interest; electronic publishing services, namely, publication of text and graphic works of others via computer and communications networks in the fields of entertainment, education, social, political, cultural, economic, scientific and general interest; publishing of electronic publications; entertainment services, namely, providing temporary use of interactive, multiplayer and single player games for games played via computer or communication networks; providing information about online computer games and video games via computer or communication networks; arranging and conducting competitions for video gamers and computer game players

IC 042. US 100 101. G & S: Peer-to-browser photo sharing services, namely, providing a website featuring technology enabling users to upload, view, and download digital photos; providing a web site featuring technology that enables users to upload and share video, photos, text, graphics and data; creating and maintaining blogs for others; providing a web hosting platform for use of non-downloadable software in connection with interactive, multiplayer and single player games for third parties

Mark Drawing Code (3) DESIGN PLUS WORDS, LETTERS, AND/OR NUMBERS**Design** 26.11.21 - Rectangles that are completely or partially shaded**Search Code** 26.11.25 - Rectangles with one or more curved sides**Serial Number** 77896322**Filing Date** December 17, 2009**Current Filing Basis** 1B**Original Filing Basis** 1B

Published for Opposition November 23, 2010

Owner (APPLICANT) Facebook, Inc. CORPORATION DELAWARE 1601 South California Avenue Palo Alto CALIFORNIA 94304

Attorney of Record Anne H. Peck

Prior Registrations 3041791;3122052;3734637;AND OTHERS

Description of Mark The color(s) blue and white is/are claimed as a feature of the mark. The mark consists of the word "FACEBOOK" in white letters with a blue background.

Type of Mark SERVICE MARK

Register PRINCIPAL

Live/Dead Indicator LIVE

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IC 042. US 100 101. G & S: Computer services, namely, creating on-line virtual communities for registered users to organize groups and events, participate in discussions, and engage in social, business and community networking; computer services, namely, hosting electronic facilities for others for organizing and conducting meetings, events and interactive discussions via communication networks; application service provider (ASP) services, namely, hosting computer software applications of others; application service provider (ASP) featuring software to enable or facilitate the uploading, downloading, streaming, posting, displaying, blogging, linking, sharing or otherwise providing electronic media or information over communication networks; providing an online network service that enables users to transfer personal identity data to and share personal identity data with and among multiple websites; providing a web site featuring technology that enables online users to create personal profiles featuring social networking information and to transfer and share such information among multiple websites; computer services, namely, creating indexes of information, sites and other resources available on computer networks; providing temporary use of non-downloadable software applications for social networking, creating a virtual community, and transmission of audio, video, photographic images, text, graphics and data; computer services in the nature of customized web pages featuring user-defined or specified information, personal profiles, audio, video, photographic images, text, graphics and data

Mark Drawing Code (3) DESIGN PLUS WORDS, LETTERS, AND/OR NUMBERS**Design** 26.11.21 - Rectangles that are completely or partially shaded**Search Code** 26.11.25 - Rectangles with one or more curved sides**Serial Number** 77896323**Filing Date** December 17, 2009**Current Filing Basis** 1B**Original Filing Basis** 1B

Published for Opposition November 23, 2010

Owner (APPLICANT) Facebook, Inc. CORPORATION DELAWARE 1601 South California Avenue Palo Alto CALIFORNIA 94304

Attorney of Record Anne H. Peck

Prior Registrations 3041791;3122052;3734637;AND OTHERS

Description of Mark The color(s) blue and white is/are claimed as a feature of the mark. The mark consists of the word "FACEBOOK" in white letters with a blue background.

Type of Mark SERVICE MARK

Register PRINCIPAL

Live/Dead Indicator LIVE

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Word Mark	FACEBOOK
Goods and Services	IC 038. US 100 101 104. G & S: Providing access to computer databases in the fields of social networking, social introduction and dating IC 045. US 100 101. G & S: Social introduction, networking and dating services; providing social services and information in the field of personal development, namely, self-improvement, self-fulfillment, charitable, philanthropic, volunteer, public and community services, and humanitarian activities
Mark Drawing Code	(3) DESIGN PLUS WORDS, LETTERS, AND/OR NUMBERS
Design Search Code	26.11.02 - Plain single line rectangles; Rectangles (single line)
Serial Number	77896325
Filing Date	December 17, 2009
Current Filing Basis	1B
Original Filing Basis	1B
Published for Opposition	November 23, 2010
Owner	(APPLICANT) Facebook, Inc. CORPORATION DELAWARE 1601 South California Avenue Palo Alto CALIFORNIA 94304
Attorney of Record	Anne H. Peck
Prior Registrations	3041791;3122052;3734637;AND OTHERS
Description of Mark	The color(s) blue and white is/are claimed as a feature of the mark. The mark consists of the word "FACEBOOK" in white letters with a blue background.
Type of Mark	SERVICE MARK
Register	PRINCIPAL

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FACEBOOK

Word Mark	FACEBOOK
Goods and Services	IC 009. US 021 023 026 036 038. G & S: Magnetically encoded gift cards IC 016. US 002 005 022 023 029 037 038 050. G & S: Gift cards IC 035. US 100 101 102. G & S: Pre-paid gift card services, namely, issuing gift card certificates that may be redeemed for goods or services
Standard Characters Claimed	
Mark Drawing Code	(4) STANDARD CHARACTER MARK
Serial Number	85121339
Filing Date	September 1, 2010
Current Filing Basis	1B
Original Filing Basis	1B
Published for Opposition	July 26, 2011
Owner	(APPLICANT) Facebook, Inc. CORPORATION DELAWARE 1601 S. California Avenue Palo Alto CALIFORNIA 94304
Attorney of Record	Anne Peck
Prior Registrations	3734637;3793608;3881770;AND OTHERS
Type of Mark	TRADEMARK. SERVICE MARK
Register	PRINCIPAL
Live/Dead Indicator	LIVE

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Word Mark	FACEBOOK
Goods and Services	IC 009. US 021 023 026 036 038. G & S: Magnetically encoded gift cards
	IC 016. US 002 005 022 023 029 037 038 050. G & S: Gift cards
	IC 035. US 100 101 102. G & S: Pre-paid gift card services, namely, issuing gift card certificates that may be redeemed for goods or services
Mark Drawing Code	(3) DESIGN PLUS WORDS, LETTERS, AND/OR NUMBERS
Design Search Code	26.11.21 - Rectangles that are completely or partially shaded
Serial Number	85121349
Filing Date	September 1, 2010
Current Filing Basis	1B
Original Filing Basis	1B
Published for Opposition	July 26, 2011
Owner	(APPLICANT) Facebook, Inc. CORPORATION DELAWARE 1601 S. California Avenue Palo Alto CALIFORNIA 94304
Attorney of Record	Anne Peck
Prior Registrations	3734637;3793608;3881770;AND OTHERS
Description of Mark	The color(s) blue and white is/are claimed as a feature of the mark. The mark consists of the word "FACEBOOK" in white letters inside of a blue rectangle background.
Type of Mark	TRADEMARK. SERVICE MARK
Register	PRINCIPAL
Live/Dead Indicator	LIVE

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FACEBOOK

Word Mark

FACEBOOK

Goods and Services

IC 009. US 021 023 026 036 038. G & S: Computer software development tools; Computer software for use as an application programming interface (API); Application programming interface (API) for computer software which facilitates online services for social networking, building social networking applications and for allowing data retrieval, upload, download, access and management; Computer software to enable uploading, downloading, accessing, posting, displaying, tagging, blogging, streaming, linking, sharing or otherwise providing electronic media or information via computer and communication networks

Standard Characters Claimed**Mark Drawing Code**

(4) STANDARD CHARACTER MARK

Serial Number

85147879

Filing Date

October 7, 2010

Current Filing Basis

1B

Original Filing Basis

1B

Published for Opposition

July 26, 2011

Owner

(APPLICANT) Facebook, Inc. CORPORATION DELAWARE 1601 S. California Avenue Palo Alto CALIFORNIA 94304

Attorney of Record

Anne Peck

Prior Registrations

3734637;3793608;3881770

Type of Mark

TRADEMARK

Register

PRINCIPAL

**Live/Dead
Indicator**

LIVE

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FACEBOOK

Word Mark

FACEBOOK

Goods and Services

IC 035. US 100 101 102. G & S: Compiling of information into computer databases; Marketing, advertising and promotion services; market research and information services; advertising services, namely, promoting the goods and services of others via computer and communication networks; operating on-line marketplaces for sellers of goods and/or services; online retail store services featuring digital media, namely, pre-recorded digital sound, video and data recordings featuring music, text, video, games, comedy, drama, action, adventure or animation; charitable services, namely, promoting public awareness about charitable, philanthropic, volunteer, public and community service and humanitarian activities

Standard Characters Claimed**Mark Drawing Code**

(4) STANDARD CHARACTER MARK

Serial Number

85147898

Filing Date

October 7, 2010

Current Filing Basis

1B

Original Filing Basis

1B

Owner

(APPLICANT) Facebook, Inc. CORPORATION DELAWARE 1601 S. California Avenue Palo Alto CALIFORNIA 94304

Attorney of Record

Anne Peck

Prior Registrations

3734637;3793608;3881770

Type of Mark

SERVICE MARK

Register

PRINCIPAL

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FACEBOOK

Word Mark

FACEBOOK

Goods and Services

IC 036. US 100 101 102. G & S: Financial transaction processing services, namely, clearing and reconciling financial transactions via computer and communication networks; Electronic processing and transmission of bill payment data for users of computer and communication networks; Electronic funds transfer services; Bill payment services; Financial exchange services, namely, providing a virtual currency for use by members of an online community via computer and communication networks

Standard Characters Claimed**Mark Drawing Code**

(4) STANDARD CHARACTER MARK

Serial Number

85147910

Filing Date

October 7, 2010

Current Filing Basis

1B

Original Filing Basis

1B

Published for Opposition

July 26, 2011

Owner

(APPLICANT) Facebook, Inc. CORPORATION DELAWARE 1601 S. California Avenue Palo Alto CALIFORNIA 94304

Attorney of Record

Anne Peck

Prior Registrations

3734637;3793608;3881770;AND OTHERS

Type of Mark

SERVICE MARK

Register

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[BROWSE DICT](#)

[SEARCH OG](#)

[TOP](#)

[HELP](#)

[|.HOME](#) | [SITE INDEX](#) | [SEARCH](#) | [eBUSINESS](#) | [HELP](#) | [PRIVACY POLICY](#)



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FACEBOOK

Word Mark

FACEBOOK

Goods and Services

IC 038. US 100 101 104. G & S: Providing access to computer databases in the fields of social networking, social introduction and dating; peer-to-peer photo sharing services, namely, electronic transmission of digital photo files among internet users; Providing access to computer, electronic and online databases; telecommunications services, namely, electronic transmission of data, messages and information; providing online forums for communication on topics of general interest; providing online communications links which transfer web site users to other local and global web pages; providing access to web sites for others hosted on computer servers accessible via a global computer network; providing access to third party web sites by enabling users to log in through a universal username and password via a global computer network and other communication networks; providing online chat rooms and electronic bulletin boards for transmission of messages among users in the field of general interest; audio, text and video broadcasting services over computer or other communication networks, namely, uploading, posting, displaying, tagging, and electronically transmitting data, information, audio and video images; Delivery of digital music by electronic transmission

Standard Characters Claimed**Mark Drawing Code** (4) STANDARD CHARACTER MARK**Serial Number** 85147930**Filing Date** October 7, 2010**Current Filing Basis** 1B**Original Filing Basis** 1B**Owner** (APPLICANT) Facebook, Inc. CORPORATION DELAWARE 1601 S. California Avenue Palo Alto CALIFORNIA 94304**Attorney of Record** Anne Peck

Prior Registrations 3734637;3793608;3881770
Type of Mark SERVICE MARK
Register PRINCIPAL
Live/Dead Indicator LIVE

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[|.HOME](#) | [SITE INDEX](#) | [SEARCH](#) | [eBUSINESS](#) | [HELP](#) | [PRIVACY POLICY](#)



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Word Mark

FACEBOOK

Goods and Services

IC 041. US 100 101 107. G & S: Providing computer, electronic and online databases in the field of entertainment and in the fields of secondary, collegiate, social and community interest groups; on-line journals, namely, blogs in the fields of entertainment, education, social, political, cultural, economic, scientific and general interest; electronic publishing services, namely, publication of text and graphic works of others via computer and communications networks in the fields of entertainment, education, social, political, cultural, economic, scientific and general interest; publishing of electronic publications; entertainment services, namely, providing temporary use of interactive, multiplayer and single player games for games played via computer or communication networks; providing information about online computer games and video games via computer or communication networks; arranging and conducting competitions for video gamers and computer game players; Contest and incentive award programs designed to recognize, reward and encourage individuals and groups which engage in self-improvement, self-fulfillment, charitable, philanthropic, volunteer, public and community service and humanitarian activities and sharing of creative work product

Standard Characters Claimed**Mark Drawing Code**

(4) STANDARD CHARACTER MARK

Serial Number 85147937**Filing Date** October 7, 2010**Current Filing Basis** 1B**Original Filing Basis** 1B**Owner** (APPLICANT) Facebook, Inc. CORPORATION DELAWARE 1601 S. California Avenue Palo Alto CALIFORNIA 94304**Attorney of Record** Anne Peck

Prior Registrations 3734637;3793608;3881770;AND OTHERS
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Live/Dead Indicator LIVE

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[|.HOME](#) | [SITE INDEX](#) | [SEARCH](#) | [eBUSINESS](#) | [HELP](#) | [PRIVACY POLICY](#)



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[Home](#) | [Site Index](#) | [Search](#) | [FAQ](#) | [Glossary](#) | [Guides](#) | [Contacts](#) | [eBusiness](#) | [eBiz alerts](#) | [News](#) | [Help](#)**Trademarks > Trademark Electronic Search System (TESS)**

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FACEBOOK

Word Mark FACEBOOK

Goods and Services IC 042. US 100 101. G & S: Computer services, namely, creating on-line virtual communities for registered users to organize groups and events, participate in discussions, and engage in social, business and community networking; computer services, namely, hosting electronic facilities for others for organizing and conducting meetings, events and interactive discussions via communication networks; application service provider (ASP) services, namely, hosting computer software applications of others; application service provider (ASP) featuring software to enable or facilitate the uploading, downloading, streaming, posting, displaying, blogging, linking, sharing or otherwise providing electronic media or information over communication networks; providing an online network service that enables users to transfer personal identity data to and share personal identity data with and among multiple websites; providing a web site featuring technology that enables online users to create personal profiles featuring social networking information and to transfer and share such information among multiple websites; computer services, namely, creating indexes of information, sites and other resources available on computer networks; providing temporary use of non-downloadable software applications for social networking, creating a virtual community, and transmission of audio, video, photographic images, text, graphics and data; computer services in the nature of customized web pages featuring user-defined or specified information, personal profiles, audio, video, photographic images, text, graphics and data; peer-to-browser photo sharing services, namely, providing a website featuring technology enabling users to upload, view, and download digital photos; providing a web site featuring technology that enables users to upload and share video, photos, text, graphics and data; creating and maintaining blogs for others. providing a web hosting platform for use of non-downloadable software in connection with interactive, multiplayer and single player games for third parties

Standard Characters Claimed**Mark Drawing Code** (4) STANDARD CHARACTER MARK**Serial Number** 85147950**Filing Date** October 7, 2010**Current Filing Basis** 1B

Original Filing Basis 1B
Owner (APPLICANT) Facebook, Inc. CORPORATION DELAWARE 1601 S. California Avenue Palo Alto CALIFORNIA 94304
Attorney of Record Anne Peck
Prior Registrations 3734637;3793608;3881770;AND OTHERS
Type of Mark SERVICE MARK
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[Home](#) | [Site Index](#) | [Search](#) | [FAQ](#) | [Glossary](#) | [Guides](#) | [Contacts](#) | [eBusiness](#) | [eBiz alerts](#) | [News](#) | [Help](#)**Trademarks > Trademark Electronic Search System (TESS)**

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FACEBOOK

Word Mark

FACEBOOK

Goods and Services

IC 045. US 100 101. G & S: Social introduction, networking and dating services; providing social services and information in the field of personal development, namely, self-improvement, self-fulfillment, charitable, philanthropic, volunteer, public and community services, and humanitarian activities; Identification verification services, namely, providing authentication of personal identification information

Standard Characters Claimed**Mark Drawing Code**

(4) STANDARD CHARACTER MARK

Serial Number

85147955

Filing Date

October 7, 2010

Current Filing Basis

1B

Original Filing Basis

1B

Published for Opposition

July 12, 2011

Owner

(APPLICANT) Facebook, Inc. CORPORATION DELAWARE 1601 S. California Avenue Palo Alto CALIFORNIA 94304

Attorney of Record

Anne Peck

Prior Registrations

3734637;3801147;AND OTHERS

Type of Mark

SERVICE MARK

Register

PRINCIPAL

Live/Dead Indicator

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[FREE FORM](#)

[BROWSE DICT](#)

[SEARCH OG](#)

[TOP](#)

[HELP](#)

[|.HOME](#) | [SITE INDEX](#) | [SEARCH](#) | [eBUSINESS](#) | [HELP](#) | [PRIVACY POLICY](#)

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[Dashboard](#)

- [Tools](#)
 - [Activity](#)
 - [Blogs](#)
 - [Bookmarks](#)
 - [Files](#)
 - [Friends](#)
 - [Groups](#)
 - [Members](#)
 - [Pages](#)
 - [Photos](#)
 - [The wire](#)
 - [User content](#)

[Settings](#) [Administration](#)[Log out](#)

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[Extended profile](#)[Friends](#)[Friends of](#)[Admin](#)[Bookmark this](#)[Report this](#)

- [Edit details](#)
- [Edit profile icon](#)

Edit profile

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Enter your (publicly visible) health problems

Medications

Generic names of the medications you are taking, separated by comma

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| [MyHealthbookSM](#) | [About](#) | [Terms](#) | [Privacy](#) |

[Dashboard](#)

- [Tools](#)
 - [Activity](#)
 - [Blogs](#)
 - [Bookmarks](#)
 - [Files](#)
 - [Friends](#)
 - [Groups](#)
 - [Members](#)
 - [Pages](#)
 - [Photos](#)
 - [The wire](#)
 - [User content](#)

[Settings](#) [Administration](#)[Log out](#)

HealthbookSM

About

HealthbookSM helps you to keep track of your medical information and integrates it into social media

HealthbookSM is a website for controlling and managing patient and consumer health information. We are combining ideas of Web 2.0 and social networking to create a "social" personal health record (also called PHR 2.0), allowing you to keep track of and share specific health information with family and peers.

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